

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

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USIA-15 VO-03 SCA-01 PPT-02 CPR-02 SY-03 DRC-01 NIC-01

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R 091050Z APR 74

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC 6024

INFO USMISSION GENEVA

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SECOND CORRECTED COPY (PARA. 4., LINE 6)

E.O. 11652: N/A

TAGS: CVIS, CZ

SUBJECT: EFFECT OF END 1973 AMNESTY ON TRAVEL TO AND FROM CSSR

REF: BRODY-ZAK MEMCON, NOV 20, 1973; BRODY-CERVENKA MEMCON,
DEC 4, 1973

GENEVA FOR AMBASSADOR SHERER, CSCE DEL

1. MFA OFFICIAL (VANEK) HAS INFORMED CONOFFS THAT OVERRIDING FACTOR IN DECISION WHETHER CSSR CITIZEN HERE IS GIVEN PERMISSION TO TRAVEL ABROAD OR RELATIVE ABROAD GIVEN VISA TO COME HERE IS STATUS OF RELATIVE IN WEST VIS-A-VIS CSSR LAW. WITH END 1973 AMNESTY, THOSE WHO IN 1968 OR AFTERWARDS ILLEGALLY LEFT CSSR OR ILLEGALLY STAYED ABROAD WERE ONCE AGAIN IN CONTRAVENTION P. 109 CSSR LEGAL CODE AND SUBJECT TO AUTOMATIC 14-MONTH PRISON SENTENCE.

2. TO OVERCOME THIS, RELATIVE ABROAD IN INSTANCE HE OR SHE ACQUIRED CITIZENSHIP ANOTHER COUNTRY, WOULD HAVE TO SEEK PRESIDENTIAL PARDON. NO OTHER RECOURSE POSSIBLE. IN ADDITION, IF PARDON GRANTED, INDIVIDUAL WOULD HAVE TO
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TAKE ADMINISTRATIVE STEPS TO RENOUNCE CSSR CITIZENSHIP WHEN

SUBMITTING CSSR VISA APPLICATION; RENUNCIATION OF CSSR CITIZENSHIP REQUIRED OF ALL FORMER CZECHS ASKING FOR VISAS, REGARDLESS OF HOW AND WHEN THEY LEFT CSSR OR, IF AMCITS, WHETHER THEY BENEFIT UNDER 1928 US-CSSR NATURALIZATION TREATY (SEE REFERENCES).

3. IN INSTANCE RELATIVE ABROAD STILL CSSR CITIZEN, HE WOULD HAVE TO SEEK PERMISSION STAY THERE AS CSSR CITIZEN, I.E., REQUEST CSSR EMIGRATION PASSPORT.

4. ALL PROCEDURES DESCRIBED IN PARA 2, 3 WOULD BE INSTITUTED AT CSSR EMBASSY OR CONSULATE IN COUNTRY OF RELATIVE'S CURRENT RESIDENCE. FOR THOSE ABROAD REQUIRING CSSR EMIGRATION PASSPORT, TOTAL COST WOULD INCLUDE EDUCATION FEES CHARGED HERE FOR EMIGRANT PPTS: KCS 3000 FOR GRADE-SCHOOL EDUCATED PERSON, KCS 7,000 FOR HIGH SCHOOL EDUCATION, AND KCS 12,500 FOR COLLEGE. THOUGH VANEK SAID THESE FEES WERE MAXIMUMS, EMBASSY AWARE OF SEVERAL INSTANCES IN WHICH MUCH HIGHER EDUCATION FEES HAVE BEEN LEVIED.

5. VANEK ALSO SAID THAT IN ABSENCE SPECIAL CONSIDERATIONS, E.G. FAMILY EMERGENCY, EITHER THE PRESIDENTIAL PARDON OR EMIGRATION STATUS FOR RELATIVES ABROAD ILLEGALLY WOULD BE REQUIRED IN ALL CASES WHERE PERSONS HERE WANTED TO VISIT THEM, EMIGRATE TO JOIN THEM, OR IF THOSE RELATIVES WISHED TO VISIT HERE. ANY US CITIZEN ARRIVING IN CSSR WITH US PASSPORT WHO NEEDED PARDON, DIDN'T GET IT, BUT NEVERTHELESS MANAGED TO GET CSSR VISA, WOULD RUN CONSIDERABLE RISK OF IMPRISONMENT. VANEK COMMENTED THAT NO BUREAUCRATIC MACHINERY WAS PERFECT, AND THAT IN EVENT A VISA WAS ISSUED TO SUCH A PERSON BY MISTAKE, AUTHORITIES HERE COULD SEEK IMPRISONMENT THIS PERSON FOR CRIM OF ILLEGAL DEPARTURE OR STAY ABROAD COMMITTED WHILE HE WAS STILL CSSR CITIZEN. IT WAS NOT, HOWEVER, CSSR POLICY TO ENTRAP THESE PEOPLE BY THESE MEANS, VANEK SAID. MEMCON POUCHED SEPARATELY. SHERER

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